REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested. The June 14, 2005 Final Office Action and the Examiner's comments have been carefully considered. In response, a Request For Continued Examination is submitted, claim 1 is amended, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

PRIOR ART REJECTIONS

In the Office Action claim 1 is rejected under 35 USC 103 as being unpatentable over USP 6,118,972 (Yamazaki) in view of USP 5,961,226 (Nishida), and further in view of USP 5,973,797 (Tanaka).

In response, claim 1 is amended in a sincere effort to more clearly define the present claimed invention over the cited references.

The present invention is directed to preventing an image of a document from being read at a wrong size. The read size specifying means requests designation of a document size via a user interface when the document size is not confirmable from a detection result of the document size detector, and specifies a

read size corresponding to the document size which is designated via the user interface according to the request. The document size designated via the user interface is confirmed when the cover is closed, and the document size is maintained until the cover is opened. The document feeder also feeds a document other than the document on the document table. The reading unit is capable of reading an image of the other document fed by the document feeder while retaining the document on the document table. The read size specifying means is configured such that the read size for the document fed by the document feeder is independently specified from the read size for the document on the document table to maintain the document size designated via the user interface for the document on the document table when the reading unit is reading the image of the other document fed by the document feeder while maintaining the document on the document table. Thus, the document size designated by the user is not changed during the process for reading an image of the document fed by the document feeder. The read size for the document on the document table can be recovered using the document size designated by the user. Accordingly, it is unnecessary that the document size is designated again by the user to read an image of the document on the document table, thus

reducing the load on the user (see page 16, lines 5-21 of the present application).

In the Office Action, the Examiner states that Applicant has not attempted to refute the arguments made by the Examiner by specifically pointing out how the language of the claims distinguishes the claims over the cited references. Applicant sets forth more detailed comments below.

With regard to Yamazaki at al., although the Examiner indicted that the reading unit does not include a document table for supporting a single document placed thereon, platen glass 301 is provided as a document table. This document table is disclosed at column 8, lines 39-41 of Yamazaki et al. However, since Yamazaki et al. is focused on detecting the size of a document fed by a document feeder, it does not disclose a size detector of a document placed on the platen glass 301. Furthermore, Yamazaki et al. do not disclose that an image of the document fed by the document feeder is read in a state where the document on the platen glass 301 is not removed. Thus, Yamazaki et al. fail to disclose a countermeasure against the problem that the read size designated for the document on the document table is cancelled to read an image of another document which is fed by the document feeder.

With regard to Nishida, the Examiner indicates that the reference discloses the read size specifying means recited in claim 1. However, Fig. 6 and column 4, lines 13-17 of Nishida disclose structure that detects the size of a printing sheet and requests a user to designate the sheet size via a user interface when it is difficult to confirm the sheet size. As the printer of Nishida does not have to read an image from a document, it does not have the function of specifying the read size of the document. The sheet size designated by the user is not used for specifying the read size of the document. The Examiner argues that a person skilled in the art would easily include a user interface that allows the user to specify a document size and a read size if the document size is not recognized by the system. However, the user interface of the present invention is not configured such that the user specifies the read size. The Examiner states that the read specifying means is configured such that the read size for the document fed by the document feeder is independently specified by the user and maintained in the memory. However, since Nishida does not disclose structure for reading an image of another document which is fed by the document feeder when the read size of the document on the sheet table has been specified, Nishida does not recognize that the read size which has already been specified according to the size of the document

on the document table is cancelled to read an image of the other document. Therefore, Nishida fails to teach maintaining a size designated by the user as in the present invention.

Regarding the combination of Nishida, and Yamazaki et al., Yamazaki et al. do not disclose a size detector for a document placed on the document table. Therefore, when the references are combined, it is impossible to use at least the structure taught by Nishida to read an image from a document on the document table. Further, the Examiner states that it would have been obvious to a person skilled in the art to use the same independent read size specified for all the document images, as taught by Nishida, and this will be a motivation for combining Nishida and Yamazaki et al. to read the plurality of document images faster. The present claimed invention does not aim to read a plurality of document images faster by maintaining the document size in the memory. In the present invention, even if the read size which has already been specified is cancelled upon a change in the type of reading process, the read size can be recovered from the maintained document size. Thus, it is unnecessary for the user to designate the document size again.

Tanaka et al. disclose an image reading apparatus that uses a detector for detecting the size of a document on a document table when a cover is closed. However, the image reading

apparatus performs a single reading process of a type that reads an image of the document on the document table. In more detail, it is unnecessary to read another document such as one fed by a document feeder. Thus, the read size, which has been specified according to the size of a document on the document table which is detected when the cover is closed, is not cancelled to read the other document. That is, the cover is merely in a closed state so as not to detect a document size until the next document is placed on the document table. Like Nishida and Yamazaki at al., Tanaka et al. do not reduce the load on the user without requiring designation of the document size after another type of reading process.

In view of all of the foregoing, claim 1 is patentable over the cited references under 35 USC 102 as well as 35 USC 103.

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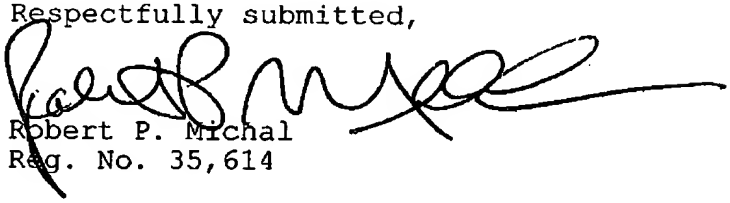
Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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Encl.: Request For Continued Examination (RCE) Transmittal